

REMARKS

The informalities in the Abstract mentioned in paragraphs 1 and 2 of the Office Action have been corrected.

The informalities in the claims noted in paragraph 3 of the Office Action have been corrected in the Amendment.

Claim 1 is rejected as anticipated by Rebardi USP 4,858,690. The Examiner points to a seat 223 and an obstructing object 225 as corresponding to the structure in the claim of the same name that is used in setting the packer. The Examiner further points to portions of Rebardi indicating that packer 72 is pressure set and concludes without support in the specification that the pressurizing that results in the setting of the packer 72 has anything to do with the seat 223 and ball 225 that sits on it.

Referring to Column 8 Lines 13-26 the circulation valve 244 incorporates the check valve 222 which in turn comprises the seat and ball referred to by the Examiner. The packer 72 is set before the upper squeeze and reverse circulation operations referred to in this paragraph. The specification recites that the circulation valve 244 is always open except during the upper squeeze and reverse circulation operations.

The packer 72 is indeed set by pressure in flow bore 27 as described in Column 8 Lines 42-45 and Column 12 Lines 4-7. However, this operation has nothing to do with the operation of the check valve that the Examiner relies upon to show the structure of a seat and an obstructing object. The pressure from the flow bore 27 is simply directed to a setting tool that sets the packer 72 as indicated in column 12 right below the lines quoted by the Examiner. Since the claim requires the seat and obstructing object to be involved in setting the packer and the seat and ball that the Examiner refers to have no demonstrated link in the specification to setting the packer, this reference does not anticipate claim 1.

The Examiner applies Rebardi to claim 2 referring to the port 116 and the sleeve 117 that can be actuated to selectively close it. This structure has nothing to do with setting the packer. The ports 116 are part of the structure of screen 70. As stated in column 8 Lines 1-12 the lower crossover valve includes the ports 116 as part of a flow path between the flow bore 27 and the annulus 201 below the packer 72. The lower

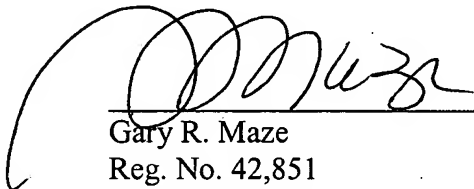
crossover valve 203 is always open except during reverse circulation. Hence the ports 116 are open during packer setting.

In rejecting independent claim 5 using Rebardi, the Examiner contends that Rebardi does not require maintaining the crossover position after gravel deposition. Referring to Column 14 Lines 22-26 the crossover is indeed raised after deposition of the gravel to permit reversing out excess gravel slurry from the pipe string. For that reason the Rebardi reference does not anticipate claim 5. Claim 5 and the claims dependent thereon are submitted to be in condition for allowance.

Applicant offers a terminal disclaimer to remove the obviousness type double patenting rejections of claims 1-3 in view of co-pending application 10/631,263.

Respectfully submitted,

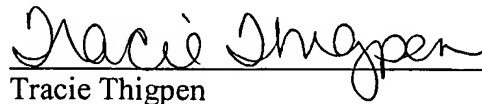
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